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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 \*E-FILED - 11/17/06\*

13 UNITED STATES OF AMERICA, )  
14 Plaintiff, )  
15 v. )  
16 CATHY LYNN LONGLEY, )  
17 Defendant. )  
18

No. CR 06-00361 RMW

**UNITED STATES'  
FINDINGS OF EXCLUDABILITY OF  
TIME UNDER THE SPEEDY TRIAL  
ACT [18 U.S.C. §§ 3161 *et seq.*]**

Date: N/A  
Time: N/A

19 COMES NOW THE UNITED STATES OF AMERICA, represented by Assistant United  
20 States Attorney Gary G. Fry, and, pursuant to an oral order of the court issued on November 13,  
21 2006, files proposed written findings excluding time from the requirements of the Speedy Trial  
22 Act, 18 U.S.C. §§ 3161 *et seq.* Said findings conform to those first made orally from the bench  
23 on November 13, 2006.

24  
25 Date: November 13, 2006

KEVIN V. RYAN  
United States Attorney

/s/

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27 GARY G. FRY  
28 Assistant United States Attorney

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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
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13 UNITED STATES OF AMERICA,	)	No.CR 06-00361 RMW
	)	
14 Plaintiff,	)	<b>ORDER OF THE COURT EXCLUDING</b>
	)	<b>TIME FROM THE SPEEDY TRIAL</b>
15 v.	)	<b>ACT [18 U.S.C. §§ 3161 <i>et seq.</i>]</b>
	)	
16 CATHY LYNN LONGLEY,	)	Date: N/A
	)	Time: N/A
17 Defendant.	)	
18 _____	)	

19 On motion of the United States, made orally on November 13, 2006, and without  
20 objection from the defendant, the court FINDS as follows.

21 Defense counsel is attempting to get state court documents that may be relevant to  
22 sentencing and settlement efforts. She has learned that some of them are being held under seal.  
23 She therefore needs to file a motion to unseal them. She does not anticipate that the motion will  
24 be opposed, but she needs time to accomplish it.

25 Therefore, pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), the court excludes 28 days (*i.e.*,  
26 from November 13, 2006, to December 11, 2006) to allow counsel for the defendant reasonable  
27 time for effective preparation (taking into account the exercise of due diligence). The court  
28 FINDS that the ends of justice served by this delay outweigh the best interests of the public and

1 the defendant, who has not objected, in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

2 Therefore, based on the foregoing, the court ORDERS that a period of 28 days, *i.e.*, from  
3 November 13, 2006, to December 11, 2006, is hereby excluded from the period of time that trial  
4 in this matter would otherwise have to commence under the Speedy Trial Act, 18 U.S.C. §§ 3161  
5 *et seq.*

6 IT IS SO ORDERED.

7  
8 Date: 11/17/06

/s/ Ronald M. Whyte

HON. RONALD M. WHYTE  
United States District Judge  
Northern District of California